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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

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Subject: Training and Development for the NASA Legal Staff

Responsible Office: Office of the General Counsel

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Appendix E. Directorate Lead Counsel Position Description

Directorate Lead Counsel (DLC) Position Description

Background.

The Office of the General Counsel (OGC) seeks to maximize its ability to provide effective and efficient legal services to all NASA Mission Directorates, while simultaneously providing an exceptional opportunity for developmental leadership, to increase diversity of legal community involvement, and, in certain cases, to provide a mobility assignment consistent with the NASA executive level development track. The Directorate Lead Counsel (DLC) Program is one critical element of the OGC approach to the achievement of these important goals.

Program Goals.

DLC Program primary goals are to:

- enhance Mission Directorate planning and operations;
- determine "best practices" to assess and improve both the legal support required by the Mission Directorate and the support actually being provided by the combined efforts of the OGC and the respective Office of Chief Counsel (OCC) at NASA Centers in support of Mission Directorate activities;
- facilitate coordinated legal activities across Mission Directorate Centers and advise the Mission Directorate Associate Administrator (AA) and the NASA legal leadership team on any and all matters as requested by the AA, Deputy AA or designee; and
- provide legal advice from the program perspective (legal advice from the substantive law perspective will continue to be provided either through the OGC or the OCC).

Concurrent DLC Program Objectives are to:

- familiarize the DLC with the Mission Directorate, including its missions, functions and areas of concentration;
- provide a high-profile leadership and career development opportunity by working directly for an Associate Administrator at the Mission Directorate level;
- maximize diversity of legal skills through developmental assignments.

DLC Responsibilities. The DLC shall:

- be the primary point of contact for the Mission Directorate in the legal community in Headquarters (the OCC remains the primary point of contact for the legal community for the Mission Directorate in the Centers);
- provide direct advice and counsel to the Associate Administrator and as requested to the other senior leadership of the Mission Directorate on issues affecting the respective Mission Directorate;
- identify and coordinate the appropriate legal resources within the OGC and OCC when the necessary advice

and/or counsel requires additional legal expertise beyond the range of capabilities of the DLC;

- direct, oversee, regulate, and coordinate the support provided by the OGC and the OCC in the most productive, efficient and effective manner for the benefit of the Mission Directorate;
- track all legal work being done by the OGC or OCC in support of the Mission Directorate(s) for which the DLC is responsible. To ensure the feasibility of this tasking, the relevant Associate General Counsel (AGC) or OCC shall keep the DLC informed of all legal activity being performed regarding programs or related matters within the relevant Mission Directorate; and
- closely coordinate with the respective AGC or Center Chief Counsel when relying on the OGC or the OCC in order to maximize support for the Mission Directorate.

Term of Appointment.

The DLC shall serve a term appointment for a period of one year, with the possibility of a six (6) month extension by mutual agreement between the Mission Directorate AA and the General Counsel, upon application of either.

Since the DLC Program is designed, in part, to provide leadership opportunities and diversity of legal professional experiences not otherwise available for NASA Headquarters and Center attorneys, the restriction on the term of assignment to the DLC Program is intended in part to maximize the opportunity for participation by those who would aspire to the DLC role.

While successive appointments within the same Mission Directorate is not permissible beyond the initial or shortly extended terms, nothing herein shall be construed to prohibit successive assignments within the DLC Program to other Mission Directorates, if consistent with the goals of the DLC Program.

Criteria for Appointment.

Those appointed to the DLC position will come from the ranks of experienced and superior performing legal professionals in the OGC or the OCC whose generalized and specific legal acumen can be effectively applied to achieve the stated DLC Program goals. Requests for nominations will be sought from the AGC and CCC communities, coming when feasible from those designated in the leadership track by the Agency Legal Leadership Team. Final selection shall be by the General Counsel and Deputy General Counsels, with the specific concurrence of the Associate Administrator of the Mission Directorate, and incumbents shall serve only so long as both the General Counsel and Associate Administrator find that service in the best interests of the Agency.

Program Responsibilities and Controls.

The DLC shall have direct access to and serve the Mission Directorate AA functionally and will be responsible to the MDAA in the context of daily tasking, assignment and operational control. The DLC will serve effectively as the primary legal advisor -- an adjunct general counsel -- to the Mission Directorate to which assigned. The DLC shall provide advice direct to the Mission Directorate AA and to the leadership team of the Mission Directorate as directed by the Mission Directorate AA.

The DLC shall remain assigned within the OGC and carried on the OGC personnel roster while so assigned. The DLC will be an ex officio member of the OGC Leadership Team. Performance planning and evaluation will be provided by the OGC with input from the Mission Directorate AA.

The DLC will provide weekly reports to the Deputy General Counsel (DGC) and other OGC management officials as designated by the General Counsel. All administrative and logistical support matters shall be coordinated by and between the Deputy General Counsel for Administration and Management (DGCAM) and the DLC. The DLC will perform substantive legal work where appropriate but shall apprise the DGC, DGCAM, and relevant AGC and/or OCC, and provide recurring updates to ensure provision of effective and efficient legal services support to the Agency.

DLC Working Spaces.

The DLC shall have an office located in one or more of the Mission Directorates in which he/she serves where telephone and computer connectivity will be provided by the MDAA. The cognizant MDAA's remain responsible for providing suitable office space, travel and training funding for the assigned DLC throughout his or her tenure, consistent with NASA space allocation policies and requirements for space adequate to perform confidential legal services functions.

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